

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 04m1766 CBS
)	
BYRON VITERI)	
)	

MOTION TO MODIFY CONDITIONS OF RELEASE

Now comes the defendant and requests that this Court allow him to change his address from 3 Memorial Drive, Middleton, MA 02949, to 104 Olive Avenue, Lawrence, MA 10841. The defendant makes this request because due to his arrest in this case, he has been evicted from 3 Memorial Drive by the public housing authority. Therefore, he and his girlfriend and their two children, a son who is fifteen months old and a daughter who is eight years old, are moving to the Olive Avenue address on or about August 1, 2004, to live with the defendant's girlfriend's parents, until the defendant can find another apartment for his family. To the best of the defendant's knowledge, there are no firearms kept at that address and the occupants of the home, the defendant's girlfriend's parents, are not on probation.

Joshua Ulrich, the Pretrial Services Officer assigned to this case, has informed counsel that due to the fact that the defendant has been evicted, he has no objection to the defendant's

immediately moving to the new address, with the understanding that in the near future Mr. Ulrich will conduct a routine investigation of that address.

BYRON VITERI

By his attorney,

/s/ Page Kelley

Page Kelley

B.B.O. #548237

Federal Defender Office

408 Atlantic Avenue, 3rd Floor

Boston, MA 02110

Tel: 617-223-8061